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Paper No. 8

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**SEP 05 2002**

**OFFICE OF PETITIONS**

In re Application of :  
Mendez, Pacheco, Montesanto, :  
Perelman, Wang, and Zweiback : DECISION ACCORDING STATUS  
Application No. 10/062,577 : UNDER 37 CFR 1.47(a)  
Filed: 30 January, 2002 :  
Atty Dkt No. 60901-P007US-10103166 :

This is in response to the petition filed under 37 CFR 1.47(a) on  
1 July, 2002 (certificate of mailing date 24 June, 2002).

The petition is GRANTED.

Petitioners have shown that the non-signing inventor, Gershon Perelman, has refused to join in the filing of the above-identified application after having been sent a copy of the application papers. Specifically, the statement of Genie Criscione, Executive Administrator, Phaethon Communications, Inc., establishes that a copy of the above-identified application was sent to the non-signing inventor's last known address. Additionally, petitioners have shown that the non-signing has failed to sign the declaration naming him as a joint inventor along with Alexis Mendez, Mario Pacheco, Steve Montesanto, William Wang, and Jason Zweiback.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the declaration. Notice of the filing of this application will also be published in the Official Gazette.

The Power of Attorney by the Assignee filed with the present petition cannot be accepted because the assignment has not been signed by all of the inventors. Specifically, non-signing inventor Perelman has not signed the assignment.

The application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at 703-308-6918.



Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy



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Gershon Perelman  
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Cupertino, CA 95014

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**SEP 05 2002**

**OFFICE OF PETITIONS**

In re Application of  
Mendez et al.  
Application No. 10/062,577  
Filed: 30 January, 2002  
For: OPTICAL FIBER BRAGG GRATING TUNING DEVICE

Dear Mr. Perelman:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 703/308-6918. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Douglas I. Wood  
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